



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
EMD / CWB

09056PDCL.06c

DATE: September 21, 2006
NPDES PERMIT NO.: HI S000096

PERMIT RATIONALE: **APPLICATION FOR NATIONAL POLLUTANT
DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT
TO DISCHARGE TO THE WATERS OF THE UNITED
STATES**

PERMITTEE: **STATE OF HAWAII, DEPARTMENT OF
TRANSPORTATION, HIGHWAYS DIVISION**

PROJECT: **KAILUA ROAD PERMANENT ROCKFALL AND
LANDSLIDE MITIGATION, PROJECT NO. 61D-02-06**

PROJECT STREET ADDRESS

Kailua Road
Between 10.24 and 10.60 mile markers
TMK: 4-2-003:014 & 017

PERMITTEE MAILING ADDRESS

Department of Transportation, Highways Division
601 Kamokila Blvd., Room 636
Kapolei, Hawaii 96707
Contact: Mr. Curtis Matsuda
Phone No.: 692-7561
Fax No.: 692-7617

DULY AUTHORIZED REPRESENTATIVE

Earth Tech, Inc.
841 Bishop St. Suite 500
Honolulu, Hawaii 96813

Contact: Ms. Michelle Mason
Phone No.: 523-8874
Fax No.: 523-8950

PERMIT STATUS

The Permittee submitted an Individual NPDES Permit application, dated September 14, 2006, for coverage of storm water discharges associated with construction activity to the following discharge locations: Kawainui Marsh, Class 1, Inland Waters, Latitude 21°23'22"N and Longitude 157°44'54"W, Kawainui Marsh, Class 1, Inland Waters, Latitude 21°23'25"N and Longitude 157°44'52"W, Unnamed Stream, Class 1, Inland Waters, Latitude 21°23'35"N and

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Longitude 157°44'44"W. The Department of Health (DOH), Clean Water Branch (CWB), reviewed the application and considers it to be complete.

The Director of Health (Director) proposes to issue a permit to discharge to the waters of the State and has included in the proposed draft permit those terms and conditions which the Director determined are necessary to carry out the provisions of the Federal Clean Water Act of 1977 (PL 95-217) and Hawaii Revised Statutes (HRS), Chapter 342D.

SCOPE OF THE CONSTRUCTION ACTIVITY AND LOCATION OF THE PROJECT

The State of Hawaii, Department of Transportation, Highways Division is planning emergency rockfall and landslide mitigation/protection measures for the slope adjacent to the Kailua-bound lane of Kailua Road, between MP 10.24 and 10.60, Kailua, Hawaii. The purpose of this project is to substantially reduce rockfall and landslide hazards for drivers and pedestrians by removing and mitigating hazardous conditions on the slope. Multiple debris flows, landslides, and rockfalls occurred at the project site due to the persistent rains and flooding in March and April of 2006, causing the closure of the right-hand Kailua-bound lane.

Proposed repairs include installation of approximately 165,000 square feet (sq. ft.) of cable net and structural mesh that would blanket the lower portion of the slope; construction of a 346 linear foot (LF) catchment ditch to contain rockfall; construction of a 613 LF interceptor trench to divert surface water on the slope; construction of a 560 LF rockfall protection fence; demolition or stabilization of unstable boulders with either rock bolt anchors or a localized cable net system; and installation of a 24-inch drain pipe to divert storm water from the interceptor trench to a storm drain.

RECEIVING WATER CLASSIFICATION

The discharge points are classified by the DOH as Class 1, Inland Waters. The objective of Class 1 waters is for these waters to remain in their natural pristine state as nearly as possible with an absolute minimum of pollution from any human-caused source. To the extent possible, the wilderness character of these areas shall be protected.

OCEAN DISCHARGE CRITERIA

The Director has considered the Ocean Discharge Criteria, established pursuant to Section 403(c) of the Clean Water Act for the discharge of pollutants into the territorial sea, the waters of the contiguous zone, or the oceans. The EPA has promulgated regulations for Ocean Discharge Criteria in 40 Code of Federal Regulations Part 125, Subpart M. Therefore, the Director has determined that the discharge will not cause degradation to the marine environment. Based on current information, the Director proposes to issue a permit.

DESCRIPTION OF THE PROPOSED DISCHARGE

The Construction Best Management Practices (BMPs) Plan indicates storm water runoff will be diverted with an interceptor trench into a storm drainage system. Staging areas will be located in the closed Kailua-bound lane of Kailua Road. Silt fence and inlet protection BMPs will be utilized to control sediment from running off-site. The Site-Specific BMPs Plan will be submitted 30 days prior to the start of construction activities.

The Site-Specific Construction Best Management Practices (BMPs) Plan shall be designed, operated, implemented, and maintained to ensure that storm water discharges associated with construction activities will not cause or contribute to a violation of applicable state water quality criteria as specified in Hawaii Administrative Rules (HAR), Chapter 11-54, Section 11-54-4.

PERMIT CONDITIONS

The Director has considered the permit conditions to discharge storm water runoff associated with construction activity, established pursuant to the Federal Water Pollution Control Act, Federal Clean Water Act, and the HRS. The Director has determined that the discharge will not cause degradation to the receiving water environment when the Permittee complies with the conditions of the permit. Therefore, based on current information, the Director proposes to issue a permit.

PROPOSED DETERMINATIONS

1. The General Requirements as stated in Part A of the permit are necessary in preventing pollutants to be discharged with the storm water to the receiving State waters, in addition to the general BMPs provisions proposed in the application.
2. The Reporting Requirements as stated in Part B of the permit are to inform the Permittee of submittal and reporting requirements for compliance with the permit conditions. The Permittee shall submit the following to the CWB, unless otherwise noted:
 - a. Solid Waste Disclosure Form for Construction Sites to the Office of Solid Waste Management
 - b. The general contractor information (CWB-Individual NPDES Form C: Section 3).
 - c. A map or drawing showing the areas used for the storage of soils, construction materials, or wastes and areas for the disposal of wash water from washing down of construction equipment and vehicles, etc (CWB-Individual NPDES Form C: Section 13.a.ii.7).

- c. A map or drawing showing the location(s) where stabilization practices are expected to occur (CWB-Individual NPDES Form C: Section 13.a.ii.8).
 - d. The location(s) and descriptions of all structural controls including those that will be used to divert the offsite storm water from flowing into the construction site (CWB-Individual NPDES Form C: Section 13.a.ii.9).
 - e. A construction schedule (CWB-Individual NPDES Form C: Section 13.b.vi.)
 - f. The Site-Specific Construction Best Management Practices (BMPs) Plan (CWB-Individual NPDES Form C: Section 13.c).
 - g. Notice of Cessation Form (CWB-NOC Form)
3. The BMPs as stated in Part C of the permit are to emphasize pollution prevention measures that are applicable to the construction activities. The application cited the Special Conditions for Land Disturbances from HAR, Chapter 11-55, Appendix C, Section 11.